

**United Nations Human Rights Council
Universal Periodic Review of Member-State Nigeria (officially the Federal Republic of Nigeria)**

Jubilee Campaign, in coalition with Advocates International, International Institute for Religious Freedom, the Institute on Religion and Democracy, the Human Rights Law Foundation, the Mitchell Firm, Open Doors International and the Union of Councils for Jews in the Former Soviet Union jointly submit this analysis of religious freedom and human rights in the Federal Republic of Nigeria (Nigeria) as a contribution to the Universal Periodic Review of UNHRC member-state Nigeria.

Introduction

1. As the second round of the UPR reaches Nigeria, this West African giant stands at a crossroads. On the one hand the benefits of democracy, have created a booming economy in Lagos and other parts of the south with great potential for the future, though there is continued economic deprivation and corruption particularly in the oil producing regions. A more serious threat to democracy and full human rights in Nigeria lies in the north, where a comprehensive system of discrimination based primarily on religious lines is producing an extremely polarized xenophobic environment with predictably violent results.
2. This coalition, consisting of Jubilee Campaign, Advocates International, International Institute for Religious Freedom, the Institute on Religion and Democracy, the Human Rights Law Foundation, the Mitchell Firm, Open Doors International and the Union of Councils for Jews in the Former Soviet Union calls on the Nigeria government to fully respect and protect religious freedom and human rights for ethnic and religious minorities in law and practice.

A. Religious Discrimination in Law

1. We call on Nigeria to defend the fundamental rights of its citizens laid out in its Constitution and in international covenants, which must include reviewing and overturning local or national laws and practices that violate the Constitution. Jubilee Campaign notes that Nigeria acceded to the ICCPR without reservation.
2. Regrettably, the Nigerian government has failed to act regarding the religiously-based laws passed in the northern states of Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, and Zamfara, popularly referred to as Sharia states. These laws are a violation of the Nigerian constitution, in several cases they created state-level police forces which are also in violation of the Nigerian Constitution.
3. On a human rights level, these laws favor the Muslim majority at the expense of the minority. They have increased xenophobia and communal tensions, doubtless contributing to the uptick in violence in the region.
4. Christians in the north consistently report the misuse of Sharia law, and abuse of power by the Hisbah (Sharia police), to the point where many Christians cited these

discriminatory abuses as a significant factor in their decision to leave the states that practice Sharia law. The religious beliefs and the imposition of Sharia are in violation of the secular Nigerian Constitution. The federal authorities have failed to enforce the Constitution.

B. Religious Discrimination In Practice

1. Discrimination against religious minority communities is endemic in at least 16 of the 19 northern states (3 Christian majority or co-equal states did not report State Level persecution) encompassing more than just political disenfranchisement. Religious minorities are denied equal rights, most state jobs and promotions. The level of discrimination is such that many Muslim managers refuse to hire a non-Muslim outright.
2. Christian neighborhoods are frequently overlooked for development or basic maintenance. In Sabon Gari a Christian ghetto in Kano City, the roads, water lines and other basic services have not been updated for decades. Many northern cities have these “outer” enclaves for infidels to dwell separately in.
3. In particular schools planned for Christian areas are not built, and in one instance were closed down under the pretext of renovations. As a result of this Christian children have to travel farther to schools, which are built and maintained in Muslim areas. During times of tension the first casualty is the schooling of Christian children, particularly Christian girls, who are easily identifiable as non-Muslims and therefore targets of violence.
4. In Tafawa Balewa, a Christian area of Bauchi State, the state government refused to maintain public schools and finally shut them down, community leaders say, to deprive Christian children, particularly Christian girls, an education. Many private Christian mission schools have historically been confiscated by the governments and stripped of their faith-based roots. The state legislature of Bauchi relocated the capital of Tafawa Balewa, Christian community, to a Muslim dominated town in violation of the constitution. When the Christian member representing the community objected, the state legislature suspended her from the parliament.
5. If a Christian child is able to attend primary school they face discrimination in the area of religious instruction. Islamic Instruction is regularly provided in public schools in the most at-risk Northern states, but Christian religious instruction is absent from most northern public schools.
6. Chapter III Article 23 Section 2 of Nigeria’s constitution expressly forbids requiring children to attend instruction in a religion different from their own and we were informed that while this provision is not officially violated there is immense social pressure on Christian children to attend the classes on Islamic Religious Knowledge. Christian children are insulted and publicly humiliated for holding to their faith.
7. In one instance in Sokoto, a Christian child was punished when she refused to attend the Islamic religious instruction class. The child was sent outside and forced to squat down with her elbows on her knees and hold stones in her palms. If she dropped the stones or rose from her position she would be flogged. The child was forced to hold this position for the entire period.

8. Anti-Christian discrimination continues to occur in institutions of higher education. Christian students who had attended tertiary education in the North told us that Christians were required to score significantly higher on their exams to be permitted to pass. In addition, the honors of first in class or valedictorian, went to the Muslim with the highest scores, bypassing Christians with higher scores.
9. Schools have even been known to refuse to hand over certificates or diplomas necessary for graduates to work in the field of their degree. We spoke with a nurse who completed her schooling but was refused the certificate granting her permission to work as a nurse. She had to wait 7 years and was forced to pay over 120,000 Naira (roughly \$800) in bribes before school officials turned over the certificate, which was rightfully hers. After receiving her certificate she was forced to travel to a Christian enclave in the Middle Belt to find work.
10. Any public signs of non-Muslim religious identity, such as crosses, bells, or identifiable church buildings are prohibited in practice. Governments require permits to construct new churches, or repair old ones. These permits are never granted and churches are often demolished in anti-Christian riots. The Muslim community is so determined to prevent Christians from having churches to meet in, that when selling land to Christians they commonly include the proviso “Not to be used for a bar, a brothel, or a church” on official land deeds.
11. While enduring these injustices, members of the Christian minority are consistently and blatantly faced with pressure to convert to Islam. Christians are regularly and publicly humiliated for their religious identity and anything that can be construed as disrespectful or contradictory to Islam is met with immediate violence.
12. We call on the government of Nigeria to ensure that State policies do not discriminate on the basis of religion. Development and maintenance fund must not discriminate against religious minorities particularly in key areas such as education. Forcing children to undergo instruction in a religion other than their own violates the Nigerian Constitution and international law. In addition, the right of religious minorities to manifest their faith publicly by building houses of worship and meeting within them should be protected by the Federal Government. Federal and State level officials who deny these rights or fail to protect them should face penalties. When this infringement on freedom of religion is coupled with violent attacks, such penalties should include criminal charges.

C. Targeted Violence

1. Targeted violence against religious minorities is a serious and continuing problem, particularly in the northeastern states of Yobe and Borno.
2. In January of 2012, during the same time as the massive bombing attack on Kano city, Christians in Yobe State, particularly in Potiskum and Damaturu were attacked in nightly house-to-house killings. Christians reported that the Arabic word ketab كِتَاب meaning “book” was written on the houses of those attacked. This is a Qur’anic reference to Christians as “people of the book.” The attacks killed an unknown number of Christians and displaced at least 3500 people in January 2012.

3. Such killings are particularly worrisome because house to house killings are a severe increase in violence compared to anything Nigeria had experienced previously, and because they represent a significant step in a genocidal direction. Those targeted were not targeted because of their leadership position, business success or because they were perceived to have offended Islam in some particular way. Rather these individuals and families were targeted solely for their Christian religious identity. Instead of trying to extract concessions or force the Christians to flee, the attackers simply killed them, which was also very unusual.
4. In Maiduguri there has been a sustained campaign of assassination style killings of Christians religious leaders, officials or businessmen.
5. Incidents from 2012 and 2013 include:¹
 1. Five Christians were beheaded on January 23, 2013.²
 2. Ten Christians were shot in three separate incidents on January 22, 2013
 3. Christian Policewoman Sarah Mala was killed on January 7, 2013
 4. Retired pastor Reverend Ilaisha Kabura was killed on the 18th of November, 2012.³
 5. Pastor Ali Samuri of the Good News Church was killed on August 7, 2012.
 6. The Pastor of COCIN church Maiduguri and three members were killed on April 29, 2012.
 7. At least Five Christian businessmen were killed on April 5, 2012.
 8. A Christian woman, the mother of a local pastor was killed on February 22, 2012.
 9. Two Christians were murdered in their homes on January 9, 2012.
 10. Two Christian students were killed on January 7, 2012.

D. Mass Violence

1. The March 7, 2010 massacre in Dogo Nahawa Jos, Plateau State, the April 16, 2011 Sharia states pogrom and the January 20th 2012 Kano onslaught mark 3 consecutive years of triple digit casualties, each in excess of 200 lives lost, from a single incident.
2. On March 7, 2010 Muslims attacks the village of Dogo Nahawa killing roughly 500 men, women and children. Of the 164 people arrested only 15 suspects were convicted and they were sentenced to only ten years in prison. These light sentences utterly fail to serve as a deterrent for future violence and contribute to the climate of impunity in Nigeria. There has also been no government help for the victims of Dogo Nahawa.
3. In a 48 hour period covering April 17-18, 2011, 764 churches were burned, 204 Christians were confirmed killed, over 3,100 Christian businesses, schools, and shops were burned, and over 3,400 Christian homes were destroyed. Several recent college

¹ It should be noted that these attacks do not include mass attacks against the Christian community generally or society at large, such as indiscriminate bombings, attacks on beer parlors, schools, and government institutions, which also took place in Maiduguri in 2012 and 2013.

² <http://factsnigeriaviolence.wordpress.com/spreadsheet/2013-2/>

³ <http://factsnigeriaviolence.wordpress.com/spreadsheet/2012-3/>

graduates participating in Nigeria's National Youth Service Corp were killed when they sought refuge in a police station. Taxis were randomly stopped by the rioting Muslims and any Christians were killed. In one instance the taxi driver, despite the pleas of sympathetic Muslim passengers, drove a pastor to a mob and handed him over to be killed. While the homes of certain prominent politicians and a few political offices were attacked in the initial spate of violence, this was clearly an Anti-Christian Pogrom. Within a matter of hours Muslim rioters in Zaria, just outside of Kaduna City would enter a federal campus and attack only the Christian chapel, leaving the other buildings untouched. People were randomly required to recite the Quran or be killed. Throughout northern Nigeria, this violence was carried out along religious lines, with Muslims attacking unsuspecting Christians. More churches were destroyed than any properties associated with the ruling party, the government or any other category.

4. On January 20th in Kano, a series of bombs were set off in Kaduna by the terrorist group Boko Haram. Subsequently teams of armed men attacked different institutions in the city. While the institutions attacked were mostly government institutions, when the main police barracks was attacked the attackers went through and specifically attacked the Christian homes. While the government claimed that the Kano attack took 185 lives, the Christian community reported over 200 casualties, not counting the Muslims who were killed in the bombs and indiscriminate violence.
5. The Nigerian government has responded to these events in two ways, first by stepping up security and second by compensating some of the victims. Unfortunately, the compensation monies have been given out on an extremely discriminatory basis. No compensation or government aid money was given to the victims of Dogo Nahawa, which had only Christian victims. Virtually no money was given to the Christian victims of the Post-Election violence, with some exceptions primarily in Kaduna. Compensation in Kano was similarly biased. We call on the government to give compensation and aid funds to victims regardless of their religion.

E. Incitement and Impunity

1. On January 2nd, 2012, a spokesman for the terrorist group Boko Haram called for the killing of any Christians who would not leave the north within three days. Three days later there was a massive outbreak of violence all across northern Nigeria, as radicals both inside and outside the terrorist group responded to the call to exterminate northern Nigeria's religious minority.
2. The calls for genocide in early 2012 are a useful starting point to illustrate the ongoing advocacy of religious hatred amounting to incitement in Nigeria. Unfortunately, that incident of incitement by the Boko Haram terrorist group was just one of many contributing to episodes of sectarian violence, which has claimed over 13,000 lives in Nigeria since 1999.⁴

⁴ USCIRF Annual Report - Countries of Particular Concern: Nigeria
<http://www.unhcr.org/refworld/country,,USCIRF,,NGA,,4dbe90c25,0.html>

3. Much of this violence has occurred in the Middle Belt of Nigeria between the largely Christian South and the largely Muslim North. Several waves of violence in Plateau State, have been investigated by Judicial Commissions and/or Presidential Panels, which have gathered facts about the background, causes and extent of specific incident of widespread violence, but lacked the power to prosecute. These commissions and panels generated reports which detailed among other things the public advocacy of violence as well as specific incidents of incitement by social or governmental actors. In theory these reports should have been used as evidence in prosecutions. In practice none of these reports have ever been acted upon.
4. For example, the “Judicial Commission of Inquiry into the Civil Disturbances in Jos and Its Environs,” popularly known as the “Niki Tobi Commission,” recommended the retirement of Muhammed Abubakar from the police force for his failure to investigate incidents of incitement such as the distribution of flyers calling for the assassination of public figures or acts of communal violence. This commission was called in response to the September 2001 Jos crisis, estimated to have killed over 1000 people.⁵
5. Not only have the perpetrators of the 2001 violence never been effectively prosecuted, but this same Muhammed Abubakar was appointed head of the federal police forces in 2012 by the President of Nigeria. As there are no state or local police forces, with the exception of the Hisbah, or Sharia police, this means that Mr. Abubakar controls virtually all non-military security forces throughout Nigeria.
6. This example also showcases the climate of impunity in Nigeria. Many human rights observers focus on the climate of impunity relating to police brutality or extrajudicial killings.⁶ While this is a serious problem and one that needs to be addressed, Jubilee Campaign wishes to point out the failure of the government to effectively prosecute those who plan, recruit for and carry out widespread violence.
7. For example, much has been made of the extrajudicial killing of Mohammad Yusuf, the leader of the Boko Haram terrorist group. However, Jubilee Campaign notes that Boko Haram members, including Yusuf had been previously arrested after attacks on police stations but were quickly released by federal authorities before effective prosecutions could take place. Back in 2005 Asma Jahangir, the Special Rapporteur on freedom of religion or belief, noted in her report on Nigeria⁷ that the Government had failed to initiate prosecutions of the instigators of widespread religious violence, with claims “from the highest official level” that prosecutions were not the priority of the authorities.
8. Unfortunately, Jubilee Campaign notes that since 2005 this situation has not changed. During 2010 for the first time a handful of effective prosecutions took place in Plateau State relating to sectarian violence. Unfortunately, these few prosecutions do not change a decade of impunity and government inaction. Jubilee Campaign has repeatedly heard from our Nigerian contacts that when prisoners are captured, the police refuse to turn

⁵ Human Rights Watch - Nigeria: Jos: A City Torn Apart <http://www.unhcr.org/refworld/docid/3c272b4e7.html>

⁶ Human Rights Watch - Arbitrary Killings by Security Forces <http://www.hrw.org/reports/2009/07/20/arbitrary-killings-security-forces>

⁷ E/CN.4/2006/5/Add.2

them over to the state governments and instead send them to the federal capitol of Abuja, where they are shortly released and often return to participate in further violence. This climate of impunity contributes to a deep mistrust of and frustration with the Federal government to the point that the general populace assumes collusion between the government and violent extremists. This was clearly seen in the public reaction to the escape of Kabiru Sokoto, the alleged mastermind behind the bombing of St. Theresa Catholic Church at Madalla, Niger State on Christmas Day 2011.

9. This climate of impunity is one of the root causes of both extrajudicial killings and vigilante justice. When there is a widespread perception that the system will not carry out justice, individual actors will seek to take justice into their own hands. The Nigerian government has failed to address this core issue, choosing to ignore building tensions until violence erupts. Security or military forces are then employed in a heavy-handed manner until the violence stops, but no effective prosecutions take place. The failure to prosecute permits the local actors who instigated the violence to regroup and plan their next attack, often drawing fresh new recruits from those affected by police brutality
10. Returning to the issue of incitement, nearly all of these actors ‘telegraph’ their intentions by publicly advocating violence. We believe that in order to deal with this threat to their citizens and to their nations the Nigerian Government must begin to proactively deal with the issue of incitement using tactics that accord with human rights law. By identifying and isolating those who advocate violence, the Nigerian government will be able to prevent future attacks and avoid the need for massive and heavy-handed security responses.
11. Other incidents of incitement include accusations of sacrilege or blasphemy, which mobilize the Muslim community to attack Christians. These accusations are overwhelmingly found to be baseless, but the mob response means that violence occurs before the facts can be ascertained. Many of these accusations are found to be utter fabrications.
12. For example, in 2012 a group of youths were incited to attack Tafawa Balewa, which is a Christian area, along the southern border of Bauchi, a Muslim majority state. On January 22, 2012 a group of Muslim youths attacked Tafawa Balewa. After being captured, the youths confessed that they had been told that Christians had defecated in a Mosque by their Mallam (Nigerian Muslim spiritual leader) and this caused them to attack the town. As far as we are aware the mallam responsible for this incitement was never brought to justice.
13. The growing recognition on the international level of the dangers of incitement should propel the Nigerian Government to begin effectively confronting this serious human rights issue. This is particularly true as the incitement in Nigeria is directly contributing to violence, which has claimed thousands of lives over the last decade, and bids to claim thousands more.